

# **Town of Union**

## **PLAN COMMISSION MEETING**

### **Minutes of October 29, 2009**

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The Town of Union Plan Commission regular meeting was called to order at 7:02 p.m. on Thursday, October 29, 2009 by Chairman Alvin Francis. Also in attendance were Plan Commission members Doug Zweizig, Renee Exum, Dave Pestor, Doug Lee, and Kim Gruebling; Town Chairman Kendall Schneider; Town Supervisors George Franklin and Don Krajeck; Clerk Regina Ylvisaker; and Town Engineer Greg Hofmeister. Plan Commission member Eric Larsen was absent.

#### **Approve September 24, 2009 Plan Commission Minutes**

Doug Zweizig distributed corrected wording for the motion on page two of the minutes. It should read:

“Targeted short-term residential is defined as those areas suitable for development from the time of the approval of this Plan. When 70% of the short-term acres are improved by residential development, the areas described as targeted long-term residential would be considered for additional development by the Plan Commission.”

Motion to accept minutes of the September 24, 2009 Plan Commission meeting as corrected made by Kim Gruebling. Second by Doug Zweizig. Motion carried by unanimous voice vote.

Alvin Francis noted the working lands meeting is next Thursday in Janesville. The Town Board will cover registration costs for anyone interested in attending.

#### **Review and possible recommendation to Town Board changes to ordinances including draft road ordinance, draft developers agreement, citation ordinance and related fee schedules, conditional use permit process.**

##### **DRAFT ROAD ORDINANCE**

Motion to table road ordinance until a draft is ready made by Doug Zweizig. Second by Kim Gruebling. Motion carried by unanimous voice vote.

##### **DRAFT DEVELOPERS AGREEMENT**

Regina Ylvisaker distributed a draft developers agreement based off of an agreement provided by Attorney Matt Dregne. Motion to table developers agreement until November meeting to allow time for Plan Commission members to review made by Kim Gruebling. Second by Doug Zweizig. Motion carried by unanimous voice vote.

##### **CITATION ORDINANCE AND RELATED FEE SCHEDULES**

Ylvisaker distributed sample citation ordinances from other Wisconsin municipalities to the group. She also noted that the City of Evansville's ordinance states that the Town's fee schedule is to be set by municipal judge Tom Alisankus. Motion to table citation ordinance issue to November meeting, and invite Tom Alisankus to attend for his input on the ordinance and related fee schedules made by Kim Gruebling. Second by Doug Lee. Motion carried by unanimous voice vote.

## CONDITIONAL USE PERMIT PROCESS

Motion to change all language within the Conditional Use Permit process in Chapter 17 which reads similar to “after approval of Plan Commission” to language which reads “after public hearing, recommendation of Plan Commission, and approval or denial of Town Board.” Additionally, all language which reads similar to “the Plan Commission will review applicable facts....and approve Conditional Use Permit” shall be changed to language which reflects the Plan Commission recommending a decision to the Town Board. Motion made by Doug Zweizig. Friendly amendment made by Kim Gruebling to also change the language in section 17.03 so that all actions reflect the process as outlined in 17.03 (D) and (E). Second by Doug Lee. Amendment carried by unanimous voice vote. Amended motion carried by unanimous voice vote.

There are still issues to be addressed regarding the process, including when fees are paid again by applicants, and what constitutes “reapplication.” Questions included:

- Is it a reapplication if denied by both the Plan Commission and Town Board?
- Is it a reapplication if the Plan Commission suggested changes before denying the application, and allowed the applicant to come back with the suggested changes incorporated into the application? If so, what kind of timeline is appropriate for the applicant to return to the Plan Commission with the changes before they are required to pay a new fee? Sometimes small changes that we may not consider requiring a new fee may still require additional reviews by attorney and/or engineer, incurring further costs that would not be covered by the initial application fee. Add agenda item for public comment?

It was discussed and agreed by all that adding a “public comment/question” agenda item to Plan Commission agendas immediately following the approval of the minutes, to allow the public to ask general factual questions regarding zoning, land divisions, etc was a good idea. It would provide an opportunity for individuals considering applying for land divisions, zoning changes, etc a time to get questions answered prior to submitting the application, thereby possibly reducing the number of changes to applications that the Plan Commission might request. Additionally, the conversation would be recorded in minutes. It was noted that a disclaimer would be needed to clarify for anyone asking questions that answers to questions at the public comment session may not be binding on the part of the Plan Commission once an application is filed.

Motion to add a public comment section to the monthly Plan Commission meeting agenda immediately following approval of minutes made by Doug Lee. Second by Dave Pestor. Motion carried by unanimous voice vote.

Motion that Plan Commission and Town Board denial of an application would automatically require reapplication and new fees made by Doug Zweizig. Second by Kim Gruebling. Motion carried by unanimous voice vote.

George Franklin inquired about the process if an applicant withdraws their application; it was agreed that it would require a new fee if they reapplied. Tabling the application would be a continuation of the original application and would not require payment of new application fees.

Motion to add to earlier motion the statement: “Likewise, if an applicant withdraws the application and submits a new application it will be treated as a new application with new

fees required” made by Doug Zweizig. Second by Renee Exum. Motion carried by unanimous voice vote.

**Review and discussion of possible amendments and updates to the Town of Union Comprehensive Plan, including long/short term development designations on maps, scoring sheets, and conservation subdivisions.**

On Eric Larsen’s suggested zoning map, Gruebling questioned the distance off of Territorial Road that was used for the proposed short term development area. He feels that Territorial Road itself is a good boundary, is clear and leaves no questions. A location north east off the road in the adjacent field is not clear and could be up for debate by developers. Gruebling thinks the area south west of Territorial Road is estimated in the 250 acre range, which should be enough land to build at least 150 houses. He could see pushing the area out to Cemetery Road, which would then be closer to 300 acres. Zweizig noted that Larsen’s proposed line north east of Territorial Road also divides existing properties, another problem. Gruebling suggests a triangle between Territorial Road, Cemetery Road, and Hwy. 14. It was agreed to include a portion land off Croft Road at the south end of the Town currently designated development as well.

Motion to approve for short term development the area of the Town of Union included in the triangle between Territorial Road, Cemetery Road, and Highway 14, as well as the area south of Old 92 and W. Croft Road that is currently marked for development made by Kim Gruebling. Second by Dave Pestor.

Discussion: Input will be needed from Greg Hofmeister to determine the course of action for updating the map. Francis brought up the area of land near Brooklyn, and stated he did not feel that it should all be considered long term development. Some if it is closer to Brooklyn than what we’ve just designated for short term is to Evansville. Gruebling doesn’t think any more land is needed to be designated when we are considering 350 acres now; the roads near Brooklyn are not prepared to handle additional traffic. Francis’ opinion is that the idea is to develop land adjacent to cities, and providing them the opportunity to annex the land, and the area near Brooklyn fits these criteria. Additionally, Francis noted that there some of the land near Brooklyn is poorer farmland than some of the land we are considering closer to Evansville. Pestor does not think that including the land near Brooklyn in the short term development area is appropriate at this point, considering the market and building trends in Brooklyn.

Roll Call: Alvin Francis – No; Doug Zweizig – Yes; Renee Exum – Yes; Dave Pestor – Yes; Doug Lee - Yes, Kim Gruebling - Yes. Motion carried 5-1.

Francis noted that the soil qualities indicated on maps 21 and 12 do not match up. Seems that each map is serving a different purpose, and should not be compared apples to apples.

It was suggested by Zweizig to finish the review of maps at the November meeting, and start the new year with a review of all changes to be considered.

Motion to adjourn made by Kim Gruebling. Second by Dave Pestor. Meeting adjourned at 9:25 p.m.